

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2563 – SB 2616

April 12, 2016

SUMMARY OF ORIGINAL BILL: Defines “contraband” for purposes of inmate intake, and requires the baggage and person of an inmate be carefully searched for contraband.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (015938): Deletes all language after the enacting clause and rewrites the bill to require the Department of Corrections (DOC) to report any conduct by an inmate that constitutes assault under Tenn. Code Ann. § 39-13-101(a)(1) to the appropriate district attorney general for prosecution.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- DOC reports that the Office of Investigation and Compliance is responsible for investigating assaults against correctional officers. The Office of Investigation and Compliance presents each matter to the appropriate district attorney general. District attorneys general possess prosecutorial discretion.
- Assaults that occur at correctional facilities managed or owned by the Corrections Corporation of America (CCA) generally report the matter to local police. If the local police do not pursue the matter, then the Office of Investigation and Compliance will investigate and present to the appropriate district attorney general.
- Because it is current practice, it is assumed that the bill as amended will not significantly impact DOC’s operations.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee" followed by a small, stylized monogram or initials "RNC".

Krista M. Lee, Executive Director

/trm